

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ORDER OF DISMISSAL

This matter is before the Court upon review of movant's "Response to Order to Show Cause [Doc. #8]."¹ Having carefully reviewed movant's response, the Court concludes that his arguments are without merit and that the instant action is time-barred under 28 U.S.C. § 2255(1).

Therefore,

IT IS HEREBY ORDERED that no order to show cause shall issue as to respondent, because the instant 28 U.S.C. § 2255 motion is time-barred.

IT IS FURTHER ORDERED that movant's motion pursuant to 28 U.S.C. § 2255 is **DENIED**.

¹On July 21, 2008, this Court entered an Order and Memorandum instructing movant to show cause as to why the Court should not dismiss the instant motion to vacate, set aside, or correct sentence as time-barred [Doc. #7].

IT IS FURTHER ORDERED that respondent's motion to dismiss [Doc. #4] is **DENIED** as moot.

Dated this 18th day of August 2008.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE